



Fairfax County, Virginia

BOARD OF SUPERVISORS

DRAFT AGENDA

Tuesday
September 25, 2018

Note: This draft agenda is produced 10 days prior to the Board Meeting and is subject to change. A final agenda is available for review in the Office of the Clerk to the Board and at <https://www.fairfaxcounty.gov/boardofsupervisors/board-supervisors-meetings> by the Friday prior to each Tuesday meeting.

- 8:30 Kinship Proclamation Reception, J. Lambert Conference Center, Reception Area
- 8:30 Domestic Violence Awareness Month Proclamation Reception, J. Lambert Conference Center, Conference Room 8
- 9:30 Presentations
- 10:30 Board Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups
- 10:30 Public Hearing on the County and Schools FY 2018 Carryover Review to Amend the Appropriation Level in the FY 2019 Revised Budget Plan
- 10:40 Items Presented by the County Executive
- 10:50 Matters Presented by Board Members
- 11:30 Closed Session

3:30 p.m. PCA 82-L-071 - BELL GROUP, LLC, PCA Appl. to amend the proffers for RZ 82-L-071 previously approved for contractor's offices and shops to permit additional uses and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of up to 0.25. Located on the N. side of Oakwood Rd., E. of South Van Dorn St. on approx. 36,689 sq. ft. of land zoned I-4. Comp. Plan Rec: Alternative Uses. Lee District. Tax Map 81-2 ((3)) 30.

3:30 p.m. SE 2018-MA-006 - CALVARY CHURCH OF THE NAZARENE, SE Appl. under Sect. 3-204 of the Zoning Ordinance to permit a Church with a child care center (adult day care). Located at 8220 Little River Turnpike, Annandale, 22003 on approx. 18.24 ac. of land zoned R 2. Mason District. Tax Map 59-3 ((1)) 32B.

3:30 p.m. RZ 2018-MV-006 - NRP HUNTINGTON, LLC, RZ Appl. to rezone from C-3 to PDH-12 to permit residential development with an overall density of 9.81 dwelling units per acre (du/ac) and approval of the conceptual development plan. Located on the N.E. of intersection of Huntington Ave. and Metroview Pkwy. on approx. 6.32 ac. of land. Comp. Plan Rec: Office with option for Residential. Mount Vernon District. Tax Map 83-1 ((1)) 42 and 49A.

3:30 p.m. RZ 2016-HM-017 - JBG/RESTON EXECUTIVE CENTER, L.L.C., RZ Appl. to rezone from I-5 to PDC to permit mixed use development with an overall Floor Area Ratio (FAR) of 3.14 and approval of the conceptual development plan. Located on the N. side of Sunset Hills Rd. and W. side of Town Center Pkwy. on approx. 13.8 ac. of land. Comp. Plan Rec: Office/Transit Station Mixed-Use. Hunter Mill District. Tax Map 17-3 ((1)) 28A, 28B, and 28C.

4:00 p.m. Public hearing to consider amending Fairfax County Code Chapter 82 (Motor Vehicles and Traffic), Article 5 (Stopping, Standing, and Parking), Sections 19 and 29 as follows: (1) Section 82-5-19: Proposed revision, along with editorial changes, to include the addition of a series of definitions ascribed to this section; and the addition of subsection (b), prohibiting fleet vehicles, as defined, from parking within the public right-of-way for the purpose of storage, when not in use; (2) Section 82-5-29: Proposed revision to expand the definition of unattended vehicles to include any vehicle that has been parked at a specific location for 10 days without being moved at least 300 feet (OPTION: Board to consider a vehicle unattended if parked at a specific location for 10-30 days). Provision not applicable if vehicle is parked within 1,000 feet of the property line where the vehicle is registered (OPTION: Board to consider exception for vehicles parked within 0-1,000 feet of the property line where the vehicle is registered); (3) Section 82-5-29: Additional amendments, largely administrative in nature, to revise outdated language and to reflect current processes and procedures related to abandoned vehicle disposal that are set forth in Title 46.2, Chapter 12 of the Code of Virginia. Questions regarding this proposed amendment may be directed to the Department of Transportation at 703-877-5600.

4:00 p.m. Public hearing on the proposed adoption of an ordinance amending Appendix G of The Code of the County of Fairfax, Virginia, to establish the Sydenstricker Residential Permit Parking District, District 47. The proposed amendment will establish the District boundaries to include the following street blocks: Hooes Road from the eastern property boundary of 8530 Hooes Road to the western property boundary of 8556 Hooes Road, north side; and from the eastern property boundary of 8521 Hooes Road to Innisfree Drive, south side. Questions regarding this proposed amendment may be directed to the Department of Transportation at 703-877-5600. (Springfield District).

4:00 p.m. Public hearing on the proposed adoption of an ordinance amending Appendix G, of The Code of the County of Fairfax, Virginia, to remove specific street sections from the Robinson Residential Permit Parking District, District 17, and including them in an expansion of the George Mason University Residential Permit Parking District, District 40. The proposed amendments will include the following street blocks: Portsmouth Road from Sideburn Road to Earlham Street; Sideburn Road from Braddock Road to Portsmouth Road, west side, and from the northern property boundary of 4909 Sideburn Road to Portsmouth Road, east side; and Stallworth Court from Sideburn Road to Headly Court. Questions regarding this proposed amendment may be directed to the Department of Transportation at 703-877-5600. (Braddock District)

4:30 p.m. Public hearing to receive citizen input on the proposed amendments to the Code of the County of Fairfax, Chapter 6, Weapons. The proposed amendments would: (1) add a new Section 6-2-2.2, to prohibit the transportation of loaded shotguns and rifles in a vehicle on any public street, road, or highway within the County, subject to certain exceptions; (2) add a new Section 6-2-2.3, to prohibit the carrying or possession of a loaded firearm for the purpose of hunting on any public highway within the County, subject to certain exceptions; (3) revise Section 6-4-1, Shooting of Bows, to prohibit the shooting of arrowguns and slingbows in a manner that could reasonably be expected to result in the impact of an arrow on the property of another without permission; and (4) revise Section 6-1-1, Definitions, to add certain applicable definitions. The amendments also contain minor grammatical revisions to Section 6-4-1.

4:30 p.m. Public hearing on the proposed amendment to Chapter 62 (Fire Protection), of the Code of the County of Fairfax. Chapter 62, Section 3-1, Junior Firefighters, provides the requirements of junior firefighters in the County of Fairfax, the City of Fairfax, and the towns of Vienna, Herndon, and Clifton, aged 16 years or older, who are members of a Fairfax County volunteer fire company. The amendment proposed to Section 62, 3-1, of the Fairfax County Code would limit the activities in which junior firefighters may engage as members of a volunteer fire company to non-hazardous activities. This amendment will bring the County Code in line with the adopted amendment to Virginia Code 40.1-79.1.

5:00 p.m. Public hearing on the matter of an amendment to Chapter 112 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows:

(1) Amend Sect. 20-300 to add new definitions of co-locate, existing structure, new structure, project, wireless facility and wireless support structure that are consistent with § 15.2-2316.3 of the Code of Virginia; delete the mobile and land based telecommunication facility definition; and revise the mobile and land based telecommunication hub site, telecommunication facility, and small cell facility definitions by replacing references to mobile and land based telecommunication facilities with references to wireless facilities.

(2) Revise Sect. 2-514 to:

a) Delete Par. 1 pertaining to structure or rooftop mounted antennas and delete Par. 2 pertaining to antennas mounted on utility poles or light poles.

b) Add new Par. 1 that requires Zoning Administrator approval of an administrative review-eligible project (AREP), as defined in Virginia Code § 15.2-2316.3, to include (i) certain new structures that do not exceed 50 feet in height and (ii) co-location on existing structures of non-small cell facilities, subject to limitations. [Option – Allow co locations on replacement utility or light poles subject to locational and size limits including (i) on property zoned for single family dwellings and not on a major thoroughfare, the replacement pole may be up to 15 feet higher than the existing pole with a maximum diameter of 30 inches; if on a major thoroughfare, the replacement pole may be up to 80 feet tall, or if the existing structure is over 80 feet, then up to 15 feet higher than an existing structure, either with a maximum diameter of 42 inches; (ii) on property used for athletic fields, a replacement pole may be up to 125 feet in height and 60 inches diameter; and (iii) with all other zoning and uses, replacement poles may be up to 100 feet in height, or if the existing structure exceeds 100 feet, not more than 15 feet higher, with a maximum diameter of 60 inches. Alternatively, the Board may eliminate the option for co-location on replacement poles.]

c) Add new Par. 1A to include new structure limitations. Specifically:

i) New structures may not exceed 50 feet in height, provided that such structures with attached wireless facilities may not extend more than 10 feet above the tallest existing utility pole within 500 feet of the new structure within the same public right-of-way (ROW) or within the existing line of utility poles and may not be located within any Historic District.

ii) New structures must be designed to support small cell facilities and be constructed of materials and colors that closely replicate or match existing utility poles within the same ROW or line of poles.

iii) Associated equipment, wires, cables and conduits mounted on the new structure must be designed to minimize visual impact through the use of matching materials or colors or by requiring any cables or wires to be completely enclosed within a cabinet or structure and by minimizing the distance these facilities may extend from the structure.

iv) Property owner consent must be provided.

v) New structures are subject to the undergrounding restriction in Par. f below. [Option – Eliminate this provision if the undergrounding restriction is not adopted].

vi) A minimum distance of 300 feet [Option - any distance from 200 to 500 feet] must be provided between the new structure and other wireless support structures and associated wireless facilities, except where this requirement would result in a prohibition on the provision of personal wireless service.

d) Add new Par. 1B to include co-location limitations. Specifically:

i) Antennas and associated mounting must be fully enclosed, flush mounted, or fully screened.

ii) When located on the existing structure, equipment cabinets must be fully enclosed in an existing structure or designed to match or blend with the structure on which it is located.

iii) Co-location may occur on a replacement utility pole or light pole, provided that the replacement pole is located within a 6 foot perimeter of the existing pole, and the replacement pole must meet maximum height and diameter limitations that differ depending on location. [Option – The provisions allowing co-locations on replacement poles may be eliminated.]

iv) Consent from the existing structure owner must be provided.

- e) Add new Par. 1C which limits ground mounted equipment associated with an AREP to one equipment cabinet or structure per providers with a maximum height of 12 feet or 500 square feet in gross floor area, a minimum distance of 10 feet from all lot lines or street right-of-way lines, and requires the equipment to be screened. Equipment located within an existing structure, or equipment designed to be a bench, mailbox or other structure exempt from the minimum yard requirements under Par. 2 of Sect. 2-104, is not subject to the provisions of this paragraph.
- f) Add new Par. 1D to allow the Zoning Administrator to disapprove an application for a new structure if proposed to be located in an area where the Comprehensive Plan encourages cable and public utilities to be placed underground and (a) the Comprehensive Plan objective pre-existed at least 3 months prior to the submission of the application; (b) co-location on existing structures in that area is still allowed; (c) replacement structures are still allowed; (d) disapproval does not unreasonably discriminate or prohibit the provision of personal wireless service; and (e) any new structure may not have above-ground wiring or cables connecting to electricity or facilities on other structures. [Option – The Board may adopt text making the Zoning Administrator’s disapproval of such an application mandatory or it may eliminate this new Par. 1D in its entirety.]
- g) Revise Par. 2 to allow wireless telecommunication hub sites to locate in all C Districts, I-1 through I-6 Districts, commercial areas of P districts, and in all R district on lots that are not vacant, open space, or residentially developed.
- h) Add new Par. 4 to clarify that new structures that are not AREPs are Standard Process Projects under § 15.2-2316.3 and require special exception approval by the Board.
- i) Add new Par. 5 to prohibit commercial advertising on wireless facilities.
- j) Add new Par. 6 to limit lighting on wireless facilities that are up to 100 feet in height to light poles or when required by the State or County. When wireless facilities are greater than 100 feet in height, a steady red marker light must be installed unless waived by the Zoning Administrator after coordination with the Police Department.
- k) Add new Par. 7 to specify that all applications involving wireless facilities, including small cell facilities, standard process projects, AREPs, and eligible facility requests under the Spectrum Act that are electronically submitted outside of business hours will be deemed to be received on the next business day.
- (3) Amend Sect. 2-519 to clarify that the installation of a small cell facility on a new structure approved by the Zoning Administrator under Par. 1A of Sect. 2-514 is also subject to approval by the Zoning Administrator of a small cell facility permit.
- (4) Revise Sect. 9-105 to clarify that wireless facilities that do not meet the provisions of Sect. 2 514, 2-519, or 2-520 are Standard Process Projects under § 15.2-2316.3 requiring special exception (SE) approval by the Board, and any wireless facilities that are clearly depicted on the SE plat and approved as part of the SE would not be subject to a separate small cell facility permit or an AREP that would otherwise be required.
- (5) Revise Sect. 18-106 to (a) add a new AREP permit fee of \$500 and a Standard Process Fee of \$6200 [Option - any Standard Process Project application fee up to \$16,375]; (b) clarify that Category 1 SE uses that are standard process projects under §15.2-2316.3 are subject to the Standard Process Project application fee; and (c) clarify that public facilities requiring review under § 15.2-2232 of the Code of Virginia are subject only to the AREP or Standard Process fee listed above.
- (6) Replace all references to mobile and land based telecommunication facilities with references to wireless facilities in Articles 2, 3, 4, 5, 9, and 20.
- (7) Amend Sect. 2-501 to allow AREPs to locate on the same lot with a dwelling unit.
- (8) Revise Par. 3 of Sect. 7-204 to allow the Zoning Administrator to consider the recommendations of the Architectural Review Board (ARB) in making final decisions on small cell facility permits when the application site is located within an historic district, provided that the ARB recommendation is made within the initial 60 days or an extended 30 day period from the filing of a complete application.
- For the convenience of the public, access to the full text will also be available for review at the County's website, <https://www.fairfaxcounty.gov/planning-zoning/zoning-ordinance/amendments>.

5:00 p.m. SEA 99-P-046-02 - FLINT HILL SCHOOL, SEA Appl. under Sect. 3-104 of the Zoning Ordinance to amend SE 99-P-046 previously approved for a private school of general education to permit the construction of a middle school resulting in an increase in enrollment from 700 to 800 and associated modifications to site design and development conditions. Located at 10900, 10910, 10824, 10816 Oakton Rd. and 3400, 3320, 3310, 3300, 3308, and 3408 Jermantown Rd., Oakton, 22124 on approx. 35.16 ac. of land zoned R-1. Providence District. Tax Map 47-3 ((1)) 16B,17A, 18, 19, 19A, 20, 20A, 20B, 21A, 22, 22A, 23, 24, 34A, 34B, 34C. (Associated with SEA 84-P-105-04).

5:00 p.m. SEA 84-P-105-04 - FLINT HILL SCHOOL, SEA Appl. under Sect. 3-304 of the Zoning Ordinance to amend SE 84-P-105 previously approved for a private school of general education to permit a decrease in enrollment from 700 to 500. Located at 3012 Chain Bridge Rd., 10429 & 10431 Miller Rd. and 3044 Jermantown Rd., Oakton, 22124 and portions of Academic Dr. Public right-of-way to be vacated and/or abandoned on approx. 14.7 ac. of land zoned R-3. Providence District. Tax Map 47-2 ((1)) 36A, 37, 38, and 52A. (Associated with SEA 99-P-046-02). (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Academic Dr. to proceed under Section 15.2-2272 (2) of the Code of Virginia).

All persons wishing to present their views on these subjects may call the Office of the Clerk to the Board at 703-324-3151 to be placed on the Speakers List, or may appear and be heard. As required by law, copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as other documents relating to the aforementioned subjects, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 533 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia.

 Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities and supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. Open captioning will be provided in the Board Auditorium. For sign language interpreters or other accommodations, please call the Clerk's Office, 703-324-3151, TTY: 711, as soon as possible but no later than 48 hours before the public hearing. Assistive listening devices are available at the meeting.